

***Superseded 5/12/2015***

**58-28-502 Unprofessional conduct.**

- (1) "Unprofessional conduct" includes, in addition to the definitions in Section 58-1-501:
  - (a) applying unsanitary methods or procedures in the treatment of any animal, contrary to rules adopted by the board and approved by the division;
  - (b) procuring any fee or recompense on the assurance that a manifestly incurable diseased condition of the body of an animal can be permanently cured;
  - (c) rendering professional service in association with a person who is not licensed and does not hold a temporary permit;
  - (d) sharing fees with any person, except a licensed veterinarian, for services actually performed;
  - (e) selling any biologics containing living or dead organisms or products or such organisms, except in a manner which will prevent indiscriminate use of such biologics;
  - (f) swearing falsely in any testimony or affidavit, relating to, or in the course of, the practice of veterinary medicine, surgery, or dentistry;
  - (g) willful failure to report any dangerous, infectious, or contagious disease, as required by law;
  - (h) willful failure to report the results of any medical tests, as required by law, or rule adopted pursuant to law;
  - (i) violating Chapter 37, Utah Controlled Substances Act;
  - (j) delegating tasks to unlicensed assistive personnel in violation of standards of the profession and in violation of Subsection (2); and
  - (k) making any unsubstantiated claim of superiority in training or skill as a veterinarian in the performance of professional services.
- (2)
  - (a) "Unprofessional conduct" does not include the following:
    - (i) delegating to a veterinary technologist, while under the indirect supervision of a veterinarian licensed under this chapter, patient care and treatment that requires a technical understanding of veterinary medicine if written or oral instructions are provided to the technologist by the veterinarian;
    - (ii) delegating to a veterinary technician, while under the direct supervision of a veterinarian licensed under this chapter, patient care and treatment that requires a technical understanding of veterinary medicine if written or oral instructions are provided to the technician by the veterinarian; and
    - (iii) delegating to a veterinary assistant, under the immediate supervision of a licensed veterinarian, tasks that are consistent with the standards and ethics of the profession.
  - (b) The delegation of tasks permitted under Subsection (2)(a) does not include:
    - (i) diagnosing;
    - (ii) prognosing;
    - (iii) surgery; or
    - (iv) prescribing drugs, medicines, or appliances.